

***UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO***

Eastern Division

DONALD LEE FUGETT,

Petitioner,

JUDGMENT IN A CIVIL CASE

vs.

CLIFFORD SMITH, Warden,

Respondent.

CASE NO. C2-08-483

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE TERENCE P. KEMP

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** A decision has been rendered by the Court without a hearing or trial.

Pursuant to the Opinion and Order filed October 28, 2008, JUDGMENT is hereby entered DISMISSING this case.

Date: October 28, 2008

JAMES BONINI, CLERK

/S/ Andy F. Quisumbing
(By) Andy F. Quisumbing
Courtroom Deputy Clerk